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United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

August 28, 2008

**BY FACSIMILE: (212) 805-6191**

The Honorable Barbara S. Jones  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: United States v. Benjamin Fong-Guerra  
07 Cr. 1187 (BSJ)**

Dear Judge Jones:

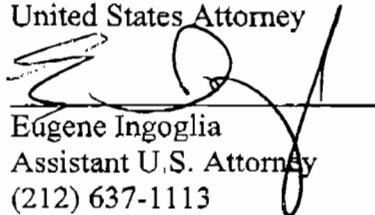
The Government respectfully submits this letter to request jointly with the defense to request an adjournment of the pre-trial conference currently scheduled for September 5, 2008 to a date convenient for the Court after the first week of October, 2008.

The Government also respectfully requests that time be excluded for purposes of the Speedy Trial Act from September 5, 2008 through the date of the next conference. The Government makes this request, with the consent of defense counsel, to permit the Government, and the defense to continue to pursue discussions regarding a possible disposition without the need for trial.

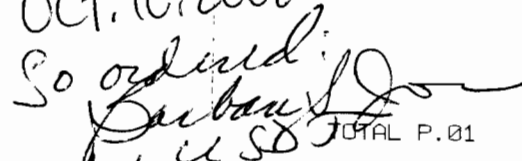
Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:

  
Eugene Ingoglia  
Assistant U.S. Attorney  
(212) 637-1113

cc: Robert Baum, Esq. (Fax: 212-571-0392)

Applications Granted  
Conference now scheduled  
for Oct. 10, 2008 at 2:30  
So ordered:  
  
9/2/08